

Mr. DASCHLE. Mr. President, I am pleased today to recognize Barry Wolk, Director of Printing and Document Services, as he concludes over 23 years of service to the United States Senate. I know I speak for all of my colleagues, their staffs and others in the Senate community in acknowledging his excellent service. The Senate is well served by staff such as Mr. Wolk—people who are dedicated to the Senate and serve without partisanship year after year in carrying out critical administrative functions without which any institution could not carry out its mission.

Mr. Wolk has spent his Senate career serving in the Office of the Secretary of the Senate. He has carried out the Secretary's statutory responsibilities to ensure that Senate committee hearings are printed and has supplied Senators' offices and committees with stationery and other necessary items. He also assisted the Secretary in reducing the cost of these services through automation.

The Senate is fortunate to have so many long-term and dedicated employees like Barry Wolk. As Barry leaves the Senate and enters a new phase of his life, I join my colleagues in wishing him and his family well.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 58) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 58

Whereas, Barry J. Wolk will retire from service to the United States Senate after twenty-four years as a member of the staff of the Secretary of the Senate;

Whereas, his hard work and dedication resulted in his appointment to the position of Director of Printing and Document Services on November 16, 1996;

Whereas, as Director of Printing and Document Services, he has executed the important duties and responsibilities of his office with efficiency and constancy;

Whereas, Barry Wolk has demonstrated loyal devotion to the United States Senate as an institution. Now, therefore, be it

Resolved, That the Senate expresses its appreciation to Barry J. Wolk for his years of faithful service to his country and to the United States Senate.

SEC. 2. That the Secretary of the Senate shall transmit a copy of this resolution to Barry J. Wolk.

ORDERS FOR FRIDAY, MARCH 5, 1999

Mr. JEFFORDS. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in adjournment until 9:30 a.m. on Friday, March 5. I further ask unanimous consent that on Friday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved and the Senate then resume consideration of S. 280, the Education Flexibility Partnership Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. JEFFORDS. Mr. President, for the information of all Senators, the Senate will reconvene on Friday at 9:30 a.m. and resume consideration of S. 280, the Ed-Flex bill. Amendments are expected to be offered and debated during Friday's session. Therefore, Members should expect at least one rollcall vote prior to noon. The leader would like to remind Members that a cloture motion was filed this evening to the Jeffords substitute amendment, and that vote will occur at 5 p.m. on Monday, March 8. Also, under rule XXII, all Senators have until 1 p.m. on Friday in order to file timely first-degree amendments to the substitute.

ORDER FOR ADJOURNMENT

Mr. JEFFORDS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator DASCHLE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, let me thank you and members of the floor staff for your patience. I appreciate very much your indulgence of my need to come to the floor. I want to talk briefly about a very important development today.

TRIBUTE TO JUSTICE HARRY BLACKMUN

Mr. DASCHLE. Mr. President, for 24 years Justice Harry Blackmun gave voice on the highest court in this land to ordinary Americans. He gave voice—in his own words—to “the little guy.” Early this morning, that voice was silenced. Harry Blackmun died at the age of 90.

He was an extraordinary man and a quintessential American. His tenure on the Court of Appeals and the Supreme Court extended through the terms of nine Presidents.

Years ago, Justice Blackmun predicted the first thing obituary writers would say of him today is that he was the man who wrote *Roe v. Wade*, and that clearly was the best known and most controversial decision in Justice Blackmun's career. But Harry Blackmun stood for much more than that. He was regarded by many as the Justice most insistent that the Court confront the reality of the problems it considered and the real-world consequences of those decisions.

In a dissenting opinion, he once challenged what he called “the comfortable perspective” from which his fellow Justices ruled that a \$40 fee did not limit a poor woman's right to choose. The reason he saw that matter differently from his fellow Justices was due—at least in part—to the fact that Harry Blackmun had been raised differently.

He was born in Nashville in 1908 but grew up in St. Paul, MN. His father owned a hardware store and a grocery store. His family did not have a lot of money. When Harry Blackmun was 17 years old, he was chosen by the Harvard Club of Minnesota to receive a scholarship. At Harvard, he majored in mathematics. To cover living expenses, he worked as a janitor and a milkman, painted handball courts, and graded math papers.

He considered seriously going to medical school but chose Harvard instead. He worked that same string of odd jobs to pay for his room and board all the way through law school. After law school, he spent 16 years in private law practice in St. Paul.

In 1950, Harry Blackmun became the first resident counsel at the world-renowned Mayo Clinic in Rochester, MN. He later called this “the happiest decade” in his life, because it gave him “a foot in both camps—law and medicine.”

A lifelong Republican, Justice Blackmun was nominated in November of 1959 by President Eisenhower to the U.S. Court of Appeals' Eighth Circuit. At the time, he was labeled a conservative.

In April of 1970, he was nominated by President Nixon to the Supreme Court. He had been recommended to President Nixon by a man with whom he had been friends since they attended kindergarten together: Chief Justice Warren Burger. Justice Blackmun was, in fact, the third choice to fill the seat vacated by Abe Fortas. Typical of his self-effacing wit, he often referred to himself as “Old No. 3.”

When the FBI conducted its prenomination investigation of Harry Blackmun, they turned up only one complaint: He works too hard.

In his early days on the Court, Justice Blackmun tended to vote with his

old friend, the Chief Justice. In fact, their records were so similar they were called by some "the Minnesota Twins."

As he began his second decade on the Court, Justice Blackmun found his own voice. He began to use that voice more frequently and more forcefully to speak for those he thought too often went unnoticed by the Court. He emerged as one of the Court's most courageous champions of individual liberty. His overriding concern was balancing and protecting the rights of individuals against the authority of the government.

He was a staunch defender of free speech and what he called "the most valued" of all rights: the right to be left alone.

He was criticized by some and praised by others for what many people perceived as a change in his political beliefs. He always insisted to friends that he had not moved to the left; rather the Court had moved to the right. "I've been called liberal and conservative; labels are deceiving. I call them as I see them," he said.

Roe v. Wade combined Justice Blackmun's two most enduring interests: the right to privacy, and the relationship between medical and legal issues. For weeks before writing the majority opinion, he immersed himself

in historical and medical research at the Mayo Clinic.

Over the years, he would receive 60,000 pieces of hate mail as a result of his decision. He read every one of them. Once when he was asked why, he replied, simply, "I want to know what the people who wrote are thinking."

He understood why Roe v. Wade produced such strong passions in people—because it had elicited strong feelings in him.

In 1983, he gave a long interview to a reporter—something that remains nearly unprecedented for a Supreme Court Justice. In that interview, he recalled what it was like to write the opinion in that landmark case.

I believe everything I said in the second paragraph of that opinion, where I agonized, initially not only for myself, but for the Court.

Parenthetically, in doing so publicly, I disobeyed one suggestion Hugo Black made to me when I first came here. He said, "Harry, never display agony in public, in an opinion. Never display agony. Never say 'This is an agonizing, difficult decision.' Always write it as though it's clear as crystal."

Justice Blackmun wrote an agonized opinion because for him—and, he understood, for most people—abortion is an agonizing decision. It was then, and it remains so today.

I, for one, am grateful to Justice Blackmun that he did not try to mini-

mize the difficulty of that decision. To do so would have been disrespectful, I believe, to the vast majority of Americans who are truly torn, intellectually and emotionally, by the question of abortion.

In 1994, when Justice Blackmun announced his retirement, he told President Clinton, "I'm indebted to the Nation . . . for putting up with the likes of me."

Today, as we bid farewell to Harry Blackmun, it is we who are indebted to him. He was the champion of liberty, and "we are not likely to see the likes of him" for a long time.

Our thoughts and prayers are with Justice Blackmun's friends and family, especially his wife and partner of 58 years, Dottie, and their three daughters, Nancy, Sally and Susan. Our Nation will miss Harry Blackmun.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Friday, March 5, 1999.

Thereupon, the Senate, at 7:10 p.m., adjourned until Friday, March 5, 1999, at 9:30 a.m.